

REMARKS

I. General Remarks

Claims 12-14 have been cancelled herein. Claims 15-22 remain pending in the instant application. Claims 15 and 22 have been amended to address the Examiner's objections thereto.

II. Drawing Objection

The Examiner has objected to the drawings for not showing the feature of the plurality of pinholes of the perforated veneer as in claim 22. Accordingly, Figure 4 has been amended to conform the figure to the text of the application so as to illustrate this feature (see enclosed amended drawing sheet). Applicant points to the following passages of the originally-filed specification as providing support for conforming the figure to the text of the originally-filed specification:

“Typically the veneer is perforated with small pin holes to permit steam to pass through during compression.” Originally-filed Specification, lines 9-10 at 4.

“Typically the veneer is perforated with small pin holes to permit steam to pass through during compression.” Originally-filed Specification, lines 6-7 at 8.

“The holes in the paper allow the steam to pass and activate the glue on the paper.” Originally-filed Specification, lines 17-18 at 8.

As Figure 4 has been amended merely to conform the figure to the text of the originally-filed specification, Applicant respectfully submits that no new matter has been submitted by this amendment. As such, Applicant respectfully requests withdrawal of the objection as to the drawings.

III. Remarks Regarding Amendments to the Specification

The specification has been amended to explicitly reference the pinholes shown in amended Figure 4. As discussed above in Section II, Figure 4 has been amended to show the feature of the plurality of pinholes to conform the drawings to the text of the originally-filed application. Thus, a sentence has been added to the text of the specification to clarify the presence of this pinhole feature in Figure 4. As this pinhole feature has already been described in detail in the text, Applicant respectfully submits that no new matter has been added by this clarifying amendment.

IV. Remarks Regarding Claim Objection

Claim 22 has been amended to address the Examiner's objections.

V. Remarks Regarding 35 U.S.C. Rejections

Claim 15 stands rejected under 35 U.S.C. § 112, paragraph 2. More specifically, the Examiner has objected to claim 15 for unclear antecedent basis as to "veneer." Accordingly, claim 15 has been amended to update the antecedent basis for "veneer."

VI. Remarks Regarding Obviousness Rejection Under 35 U.S.C. § 103(a)

A Person of Ordinary Skill in the Art Would Not Have Been Motivated to Combine the Cited References to Arrive at Applicant's Specific Combination of Claimed Elements

Claims 15-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,709,016 issued to Gulick et al. (hereinafter "Gulick") in view of U.S. Patent No. 2,031,275 issued to McLaurin et al. (hereinafter "McLaurin") and further in view of U.S. Patent No. 5,439,749 issued to Klasell et al. (hereinafter "Klasell"). Applicant respectfully traverses.

A prima facie case of obviousness, when based on multiple references, requires a motivation or suggestion to combine the cited references. M.P.E.P. § 2143. Applicant respectfully submits that no motivation to combine the cited references has been shown, and therefore, the cited references fail to establish a valid prima facie of obviousness.

The Examiner writes that a person of ordinary skill in the art would have been motivated to combine McLaurin with Gulick to supply one of the elements missing from Gulick, namely the veneer perforated with pinholes. In particular, the Examiner writes as follows:

Regarding claim 22, Gulick fails to disclose the veneer being perforated with pinholes as claimed by the applicant. However, McLaurin discloses a veneer perforated with pinholes 7 to facilitate bonding of the veneer 4 to the core layer 6 (page 2, col. 2, lines 8-10). Therefore, as taught by McLaurin, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Gulick by utilizing veneer perforated with pinholes to facilitate bonding of the veneer to the core layer.

Office Action at 4. Thus, McLaurin explains that the holes in the tape of McLaurin are present for the purpose of allowing glue to penetrate the tissue ply 7. McLaurin, col. 2, lines 8-10 at 2. The

pinholes present in the present application, however, are for the purpose of allowing steam to pass through during compression as explained in the following passages of the present application.

“Typically the veneer is perforated with small pin holes to permit steam to pass through during compression.” Originally-filed Specification, lines 9-10 at 4.

“Typically the veneer is perforated with small pin holes to permit steam to pass through during compression.” Originally-filed Specification, lines 6-7 at 8.

“The holes in the paper allow the steam to pass and activate the glue on the paper.” Originally-filed Specification, lines 17-18 at 8.

Thus, the pinholes of the present invention serve a purpose entirely different than that of the holes in McLaurin. Whereas the holes in the tissue ply of McLaurin are for the purpose of allowing glue to penetrate the tissue ply, the pinholes of the present invention are for an entirely different, namely, for allowing steam to pass through the casket during the compression process. Accordingly, a person of ordinary skill in the art would not have been motivated to use the holes in the tissue ply of McLaurin to achieve the objectives sought in the present application of allowing steam to pass through the casket. Thus, not only has no motivation or suggestion been shown for the combination of McLaurin and Gulick, the prior art teaches away from such a combination, because of the inapposite nature of the objectives of McLaurin and the present invention with respect to the pinhole feature. Therefore, the cited references fail to form a valid *prima facie* case of obviousness as to the cited claims. Accordingly, Applicant requests withdrawal of the 35 U.S.C. § 103(a) rejection as to independent claim 22, and correspondingly, as to the dependent claims thereto, 15-21.

Additionally, with respect to Klasell, the Examiner writes that it would have been obvious to one of ordinary skill in the art to combine the teachings of Klasell with respect to applying a veneer with Gulick as applied to casket manufacturing. Klasell specifically focuses on construction of doorways. In particular, Klasell focuses on reducing the migration of water moisture through doors to prevent the warping thereof. Klasell in no way addresses the construction of caskets, nor does Klasell supply any motivation or suggestion to apply its teachings to casket construction. Klasell is nonanalogous art with respect to the construction of caskets. Consequently, Applicant respectfully submits that the combination of Klasell and Gulick is not in accordance with requirement in M.P.E.P. § 2141.01(a) that prior art be analogous prior art to rely on the reference under 35 U.S.C. §

103. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection as to independent claim 22, and correspondingly, as to the dependent claims thereto, 15-21.

SUMMARY

Applicant respectfully requests entry of the claim amendments herein. All claim amendments conform to the conditions of 37 C.F.R. § 1.116 (either "canceling claims or complying with any requirement of form expressly set forth in a previous Office action). Thus, Applicant respectfully submits that Applicant is entitled to entry of the claim amendments requested herein.

A check in the amount of \$60.00 is enclosed herewith for a one month extension of time. As the shortened statutory period for reply ends on August 11, 2006, the one month time extension extends the period for reply up to and including September 11, 2006. Authorization is hereby given to charge Deposit Account No. 10-0096 for any deficiency of fees.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible. A prompt examination and allowance of the pending claims is earnestly solicited.

Respectfully submitted,

JACKSON WALKER L.L.P.

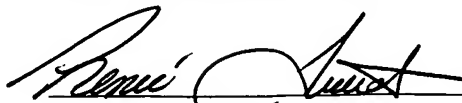


Charles Kulkarni
Reg. No. 57,119
112 E. Pecan Street, Suite 2100
San Antonio, Texas 78205-1521
Phone: (713) 752-4517
Fax: (713) 752-4135
Attorneys for Applicant

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, with sufficient postage as First Class Mail (37 CFR 1.8(a)), in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: September 8, 2006


Renee Treider